

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**JEFFREY D. COSBY**

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)  
)  
)  
)

**Case No.: 3:06cr151-MEF**

**MOTION TO CONTINUE SENTENCING<sup>1</sup>**

**COMES NOW** the Defendant, Jeffrey D. Cosby, by and through undersigned counsel, Kevin L. Butler, and moves for good cause and pursuant to Fed. R. Crim. P. 32(a) for an order continuing sentencing. In support of this motion, the Defendant would show the following:

1. Approximately eight (8) character witnesses and family members were scheduled to travel (at their own expense) from Indianapolis, Indiana to the Middle District of Alabama for Mr. Cosby's previously scheduled March 28, 2007, sentencing.
2. Three (3) of these witnesses, whom will present testimony relevant and material to this Court's findings under 18 U.S.C. § 3553, cannot be present for the presently scheduled March 30, 2007, sentencing.
3. Therefore, it is in the interest of justice to continue sentencing until on or after April 9, 2007.
4. This continuance will also allow the parties to finalize matters related to the "dual" jurisdictional nature of this case (i.e. this case encompasses pending cases in Indianapolis, Indiana and this District).

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<sup>1</sup> At the time this motion was filed, opposing counsel, Assistant United States Attorney Susan Redmond was in trial. It is not anticipated the government will oppose this pleading.

**WHEREFORE**, the Defendant prays that sentencing in this matter be continued.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 26, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:  
  
Susan Redmond, Assistant United States Attorney.

Respectfully submitted,

s/ Kevin L. Butler  
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